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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/906,995	07/17/2001	Haruhiko Kinoshita	NECW 18.854	6474
26304	7590	07/20/2006	EXAMINER	
KATTEN MUCHIN ROSENMAN LLP			GARG, YOGESH C	
575 MADISON AVENUE			ART UNIT	
NEW YORK, NY 10022-2585			PAPER NUMBER	
			3625	

DATE MAILED: 07/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/906,995

Applicant(s)

KINOSHITA, HARUHIKO

Examiner

Yogesh C. Garg

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 May 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 and 5-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 5-9 is/are rejected.
- 7) ☒ Claim(s) 8-9 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Applicant's amendment received on 5/16/2006 is acknowledged and entered. The applicant has amended claims 1-3 and 5-8 and added a new claim 9. Currently claims 1-3 and 5-9 are pending for examination.

Response to Arguments

2.1. Applicant's arguments filed 5/16/2006 concerning claims 1-3 and 5-8 have been fully considered but they are not persuasive. Applicant argues with respect to claim 1, see Remarks page 16, that the cited prior art of Brower does not teach the limitation, " mileage information storing means adapted to subtract miles included in the boarding information from accumulated miles of said boarding customer if said boarding customer is employed by the corporation registered for the corporate mileage service based on said corporation vs. individual relationship information transmitted from said corporation vs. individual relationship information database device, and add the subtracted miles included in said boarding information to miles of the corporation". The examiner respectfully disagrees as Brower does suggest and renders the above limitation obvious. Brower suggests that in JAL Corporate Mileage Bank scheme first mileage is stored based upon the ticket coupons, which implies that miles traveled as per ticket coupons are first stored as per the boarding information of a customer but then it is updated or modified based upon the information that the said ticket coupon

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carries a corporation identification number. The updating/modification involves subtracting travel miles from the miles included and stored at the time of boarding which are due to corporation and crediting [that is adding] those miles to the corporate account and leaving the bonus miles to the customer's account. Please refer specifically to the following excerpt from Brower which supports the examiner's reasoning:

" The key difference is that under the JAL Corporate Mileage Bank , the company and the employee can split the mileage credits.JAL keeps tabs on the company's mileage accumulation based on the airline's receipt of ticket coupons to which employees have attached special stickers with the corporation's identification number.

Periodic Reports:

Reports are then issued periodically to the company, or an update may be obtained from a local JAL representative. Miles are credited to the JAL Corporate Mileage account based on actual miles flown by employees in first or Executive class on JAL international routes anywhere in the world. Individual members of the JAL Mileage Bank who have been receiving special "bonus" miles will continue to receive these bonuses, but this mileage is not credited to the company account. "

The applicant further argues, see page 17 of the Remarks, that the examiner has not provided support for combining the references and the combination. The examiner disagrees because he provided the motivation, see pages 5-6 of the previous office action, because combining the teachings of Brower with Computerage would help in maintaining separate mileage accounts for the corporation and the employee and to add and track the mileages separately, as quoted below:

"Therefore, in view of Brower and Unexamined patent 119-34962, it would be obvious to one of an ordinary skilled in the art to modify Computerage to have separate accounts for corporation and the employee and to track the mileages accrued separately

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for the corporation and the employee enabling the corporations to use the accrued mileage from their employees travels on office work and keeping it separate from the employees accrued mileage from their personal travels". The examiner would like to add, that as explicitly suggested in Brower and explained above, subtracting only the travel mileage from the stored mileage information at the time of the customer's [who is a corporate employee] boarding and leaving behind the bonus mileage in the customer's account further helps the JAL's system to fairly credit the mileage to both corporate and individual customer's account as per JAL's Corporate Mileage Bank scheme.

2.2. The applicant argues concerning claim 2, see Remarks page 19, that the combined references " does not teach the limitation of determining whether miles earned by a usage of the mileage service or the payment of the consideration belong to the corporation or individual, based on said selection, and means for storing earned miles selectively". The examiner disagrees. As analyzed above, Brower teaches determining if the earned miles at the time of boarding belong to corporation or the individual and based upon determination it splits the earned miles at the time of boarding into actual travel miles for the corporation and bonus miles for the individual and they are then credited and stored selectively. Also, as already submitted on page 5 of the earlier office action, the Unexamined Patent 119-34962 received in IDS on 5/20/2004 explicitly suggests the method and system for tracking and storing the traveling expenses related to corporate and individual accounts separately.

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2.3. The applicant arguments concerning claim 8, see Remarks pages 19-20, that is, the cited references alone or combined do not teach the limitation, that is, " if the vehicle covered by the mileage service is reserved for the business of the corporation, giving earned miles to the corporation, and if the vehicle covered by the mileage service is not reserved for the business of the corporation, giving earned miles to the employee. The examiner respectfully disagrees with the applicant's argument for the following reasons:

The cited reference Brower, as analyzed above, discloses determining if the plane seats, which correspond to a vehicle, are reserved for the business of corporation. The determination is made from the sticker bearing the corporation's identification number and attached to the ticket coupons. If the sticker provided with the ticket coupon at the time of the boarding then the actual travel miles are credited to corporation. It is evident from Brower's disclosure to one of an ordinary skilled in the art that if the sticker with the corporation's identification number is not attached with the ticket coupon, then the plane seats, that is the vehicle, are not reserved for the business of corporation and therefore the earned miles would be credited to the individual's account.

2.4. In view of the current amendments made to claims 1-3 and 5-8 previous rejection under 35 USC 112, second paragraph is withdrawn.

2.5. The current amendments to claim 8 raise new issues that would require further consideration and search. The determination of the usage of the vehicle covered by the

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mileage service, before the current amendment in claim 8, was based on either the employee has made reservation using either a mileage identification number of the corporation or a mileage identification number of the employee **or** based on comparison between a working date....by the mileage service. In the current amendment **or** is deleted and replaced by **–and–**. This new amendment raise new issues which would further require consideration and search.

Also, after the term “based on” in line 6 of currently amended claim the applicant has added the term **–one of:–** which was present in the claim but has not indicated it as an amendment. The applicant is required to correct this error.

It is a final rejection.

Objection to Specification

3. The amendment filed 5/16/2006 is objected to under 35 U.S.C. 132(a) because it introduces new matter into the disclosure. 35 U.S.C. 132(a) states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows: The currently amended claim 8 recites to satisfy both the conditions together, that is whether an employee has made a reservation using....mileage identification number of the employee and comparison between a working date and a working location of the employee and one of aby the mileage service. Applicant's disclosure does not support and specify the requirement of satisfying both the conditions together to determine if the usage of the vehicle covered by the mileage service is for a business of a corporation but instead

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clearly states that one of the conditions should satisfy to determine if the usage of the vehicle covered by the mileage service is for a business of a corporation (see originally filed claim 8 on 7/17/2001 and the specification, page 9, lines 13-18. Since claim 9 is a dependency of claim 8 it inherits the same deficiency.

Applicant is required to cancel the new matter in the reply to this Office Action.

Claim Rejections - 35 USC § 112

4.1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 8-9 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The currently amended claim 8 recites to satisfy both the conditions together, that is whether an employee has made a reservation using....mileage identification number of the employee and comparison between a working date and a working location of the employee and one of aby the mileage service. Applicant's disclosure does not support and specify the requirement of satisfying both the conditions together to determine if the usage of the vehicle covered by the mileage service is for a business of a corporation but instead clearly states that

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one of the conditions should satisfy to determine if the usage of the vehicle covered by the mileage service is for a business of a corporation (see originally filed claim 8 on 7/17/2001 and the specification, page 9, lines 13-18. Since claim 9 is a dependency of claim 8 it inherits the same deficiency.

4.2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 8-9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In the currently amended claim 8, see lines 6-7, determining step is "**based on one of**" the 4 conditions, that is (1) whether an employee has made.....identification number of employee, (2) comparison between a working date.....mileage service, (3) if the vehicle covered by the mileage service is reserved....to the corporation, and (4) if the vehicle covered by the mileage service is not reserved for the business of theto the employee. Owing to "based on one of" term it implies that the determining step can be implemented if any one of the above 4 conditions is satisfied. But the current amendment has added the term "and" between conditions 1 and 2 implying that both of the conditions have to be satisfied together and which is in conflict between the earlier stated term " based on one of" which allows that any one of the 4 conditions need to be satisfied to implement the determining step. This confusion has rendered claim 8 and its dependent claim 9 indefinite and unclear.

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As best understood by the examiner in view of the applicant's disclosure, claim 8 would be further treated on merits considering the term "based on one of", which implies that if a prior art satisfies any one of the 4 conditions, cited above, in implementing the determining step it would read on the claim.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 8 is rejected under 35 U.S.C. 102(b) based upon a public use or sale of the invention. Brower, Helen; "Business Travel-corporate plans; JAL develops bonus program that companies bank on"; Travel Weekly; v44, p64 (3); March 31, 1985; extracted from Dialog hereinafter referred to Brower discloses that the invention as recited in claim 8 was in public use.

Please refer specifically to the following excerpt from Brower which reads on claim 8:

" The key difference is that under the JAL Corporate Mileage Bank, the company and the employee can split the mileage credits.JAL keeps tabs on the company's mileage accumulation based on the airline's receipt of ticket coupons to which employees have attached special stickers with the corporation's identification number.

Periodic Reports:

Reports are then issued periodically to the company, or an update may be obtained from a local JAL representative. Miles are credited to the JAL Corporate Mileage account based on actual miles flown by employees in first or Executive class on JAL international routes anywhere in the world. Individual members of the JAL Mileage Bank who have been receiving special "bonus" miles will continue to receive these bonuses, but this mileage is not credited to the company account. " .

Brower teaches determining if the earned miles at the time of boarding, that is usage of the vehicle/plane seats belong to corporation [meant for business of a corporation] or the individual and based upon determination it splits the earned miles at the time of boarding into actual travel miles for the corporation and bonus miles for the individual and they are then credited and stored selectively. Brower discloses determining if the plane seats, which correspond to a vehicle, are reserved for the business of corporation. The determination is made from the sticker bearing the corporation's identification number and attached to the ticket coupons. If the sticker provided with the ticket coupon at the time of the boarding then the actual travel miles are credited to corporation. It is evident from Brower's disclosure to one of an ordinary skilled in the art that if the sticker with the corporation's identification number is not attached with the ticket coupon, then the plane seats, that is the vehicle, are not reserved for the business of corporation and therefore the earned miles would be credited to the individual's account.

Since Brower satisfies three of the 4 alternative conditions in implementing the determining step it reads on the recited limitations of claim 8.

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Regarding claim 9, Brower discloses that the employee of the corporation makes the reservation for usage of the vehicle covered by the mileage service and the reservation for using the vehicle covered by the mileage service is accepted (see " *The key difference is that under the JAL Corporate Mileage Bank , the company and the employee can split the mileage credits.JAL keeps tabs on the company's mileage accumulation based on the airline's receipt of ticket coupons to which employees have attached special stickers with the corporation's identification number.*

Periodic Reports:

Reports are then issued periodically to the company, or an update may be obtained from a local JAL representative. Miles are credited to the JAL Corporate Mileage account based on actual miles flown by employees in first or Executive class on JAL international routes anywhere in the world. Individual members of the JAL Mileage Bank who have been receiving special "bonus" miles will continue to receive these bonuses, but this mileage is not credited to the company account. " . Note: The action of employee providing a ticket coupon with the sticker of the corporation identification number at the time of boarding is evidence that the employee makes a reservation for usage of the vehicle covered by the mileage service, that is " JAL corporate Mileage Bank". Further, the action of providing reports and adjusting the corporate and individual accounts as regards crediting the actual miles to corporate account and bonus miles to the employee's account is evidence of the fact that the reservation/using the vehicle covered by the mileage service is accepted and based upon this acceptance only the periodic reports are generated for further adjustment to the accounts.

Claim Rejections - 35 USC § 103

6 The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

6.1. Claims 1-3, 5, and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over "Betting on a quick, decisive battle in the scramble for mileage program members: ANA'S CTI Internet-ready system", Computopia, Japan, Computer Age Co., Ltd., August 1, 1997, Vol. 32, No. 371, pages 56-57; received in IDS on 5/20/2004, hereinafter referred to Computerage, in view of Brower, Helen; " Business Travel-corporate plans; JAL develops bonus program that companies bank on"; Travel Weekly; v44, p64 (3); March 31, 1985; extracted from Dialog hereinafter referred to Brower, in view of Unexamined patent 119-34962 (1997) received on 5/20/2004, in view of Unexamined patent H1 1-353359 (1999) received on 5/20/2004.

Regarding claim 1, Computerage teaches a computerized system and process for keeping track of accumulated mileage from the point of boarding . Computerage discloses:

A boarding reservation terminal having means for accepting a boarding reservation/information and means for transmitting boarding reservation/acceptance information to information database device, said boarder information data device includes a database and means for receiving information from boarding reservation terminal, means for asking said mileage information database device for customer attributes with respect to

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at least the mileage service of a boarding customer based on said boarding reservation information, means for recording said boarding reservation information and said customer attributes in combination, means for returning said boarding reservation information and said customer attributes in combination to said boarding reservation terminal, means for receiving said boarding acceptance information transmitted from said boarding acceptance terminal, means for storing said boarding acceptance information to said mileage information database device (see page 1, "*....And just by inserting one's credit card into a ticket vending machine at the airport, the reservation information is verified and a boarding pass is issued....*", see page 2, paragraphs "*With CTI, which was inaugurated on July 1,.....The mileage system is tied online with Loa Angeles and London for 24 hours.....It was made to be a system that can offer quick response with SMP servers and CTI, and that can further improve its services in the future*". It is obvious that the mileage system includes the claimed boarder information database device and mileage information database device and has the means to communicate with the boarding acceptance terminal to receive and transmit relevant information concerning the customer, his boarding information, etc. It is also obvious that the mileage system disclosed in Computerage stores mileage information and customer information in a database so that it can provide accumulated mileage information to customers on demand.).

Computerage does not disclose that it includes a corporation vs. individual information database device to store corporate mileage and personal mileage identification numbers of employees and stores information for corporation and the employee separately and means to indicate if the boarding customer is employee of the registered corporation and means for subtracting, that is removing the miles from the customer's account to the

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corporation's account . However, in the same field of endeavor, Brower discloses keeping separate identification and accounts for mileages accrued by the corporation and the employee. Unexamined patent 119-34962 also discloses method and system for tracking and storing the traveling expenses related to business and personal separately.

Brower suggests that in JAL Corporate Mileage Bank scheme first mileage is stored based upon the ticket coupons, which implies that miles traveled as per ticket coupons are first stored as per the boarding information of a customer but then it is updated or modified based upon the information that the said ticket coupon carries a corporation identification number. The updating/modification involves subtracting travel miles from the miles included and stored at the time of boarding which are due to corporation and crediting [that is adding] those miles to the corporate account and leaving the bonus miles to the customer's account. Please refer specifically to the following excerpt from Brower which supports the examiner's reasoning:

" The key difference is that under the JAL Corporate Mileage Bank , the company and the employee can split the mileage credits.JAL keeps tabs on the company's mileage accumulation based on the airline's receipt of ticket coupons to which employees have attached special stickers with the corporation's identification number.

Periodic Reports:

Reports are then issued periodically to the company, or an update may be obtained from a local JAL representative. Miles are credited to the JAL Corporate Mileage account based on actual miles flown by employees in first or Executive class on JAL international routes anywhere in the world. Individual members of the JAL Mileage Bank who have been receiving special "bonus" miles will continue to receive these bonuses, but this mileage is not credited to the company account. "

Therefore, in view of Brower and Unexamined patent 119-34962, it would be obvious to one of an ordinary skilled in the art to modify Computerage to have separate accounts for corporation and the employee and to track the mileages accrued separately for the corporation and the employee enabling the corporations to use the accrued mileage from their employees travels on office work and keeping it separate from the employees accrued mileage from their personal travels. The examiner would like to add, that as explicitly suggested in Brower and explained above, subtracting only the travel mileage from the stored mileage information at the time of the customer's [who is a corporate employee] boarding and leaving behind the bonus mileage in the customer's account further helps the JAL's system to fairly credit the mileage to both corporate and individual customer's account as per JAL's Corporate Mileage Bank scheme.

Unexamined patent H1 1-353359 further discloses a system and method for moving certain data/attributes/expenses/numbers from one account to another account and therefore in view of the disclosure of Unexamined patent H1 1-353359 it would be obvious to one of an ordinary skilled in the art at the time of the applicant's invention to have modified the combined teachings of Computerage/Brower/ Unexamined patent 119-34962 to move the mileage data from the employee's account obtained at the time of the boarding to the corporation's account when the employee is traveling on business so that instead of the employee the corporation gets the benefit , the objective already indicated in Brower, that is the corporation should get the accrued miles when the employee is traveling on business account and Unexamined patent 119-34962 which emphasizes to separate and record the transactions belonging to employee and corporation.

Regarding claim 2, the limitations are closely parallel to the limitations covered in claim 1 and is therefore analyzed and rejected on the same basis. As regards means for accepting usage of mileage related service or payment of a consideration to use the vehicle covered by the mileage service is well-known in the art, that is if one has to travel by air he is required to pay or use his frequent flier miles. Brower teaches determining if the earned miles at the time of boarding belong to corporation or the individual and based upon determination it splits the earned miles at the time of boarding into actual travel miles for the corporation and bonus miles for the individual and they are then credited and stored selectively. Also, as analyzed above, the Unexamined Patent 119-34962 received in IDS on 5/20/2004 explicitly suggests the method and system for tracking and storing the traveling expenses related to corporate and individual accounts separately. Therefore, claim 2 is unpatentable over Computerage/ Brower/Unexamined patent 119-34962 /Unexamined patent H1 1-353359.

Regarding claim 3, the limitation of assigning identification numbers to the corporation and the employee separately is already covered and disclosed in the reference Brower and the steps of transmitting information and determining if the transaction, that is mileage to be accrued, belongs to the corporation or employee that is depending upon if the employee is traveling on business work or for personal purpose is already covered in claim 1. Therefore, claim 3 is unpatentable over Computerage/ Brower/Unexamined patent 119-34962 /Unexamined patent H1 1-353359.

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Regarding claims 5 and 7, their limitations are closely parallel to the limitations covered in claims 1-3 and are therefore analyzed and rejected as being unpatentable over Computerage/ Brower/Unexamined patent 119-34962 /Unexamined patent H1 1-353359.

6.2. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Computerage/ Brower/Unexamined patent 119-34962 /Unexamined patent H1 1-353359 and further in view of Unexamined patent 2000-132609.

Regarding claim 6, all the limitations, except for the working information database device are already covered in claims 1-3 above. Regarding working information database device, the Unexamined patent 2000-132609 discloses a system and method for storing membership information [membership database 82 corresponds to working information database device] which can provide information about the members/employees on demand. In view of the Unexamined patent 2000-132609, it would be obvious to one of an ordinary skilled in the art at the time of the applicant's invention to include the feature of storing member information to extract member information and individual attributes to decide if that employee/member can avail of certain corporation/membership benefits or not. Therefore claim 6 is unpatentable over Computerage/ Brower/Unexamined patent 119-34962 /Unexamined patent H1 1-353359 and further in view of Unexamined patent 2000-132609.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yogesh C. Garg whose telephone number is 571-272-6756. The examiner can normally be reached on M-F(8:30-4:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeff Smith can be reached on 571-272-6763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Yogesh C Garg
Primary Examiner
Art Unit 3625

YCG
7/13/2006